

2024-03-27 HB 1041 (Support in Concept).pdf

Uploaded by: Adam Spangler

Position: FAV

CANDACE MCLAREN LANHAM
Chief Deputy Attorney General

CAROLYN A. QUATTROCKI
Deputy Attorney General

LEONARD HOWIE
Deputy Attorney General



ANTHONY G. BROWN
Attorney General

CHRISTIAN E. BARRERA
Chief Operating Officer

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement

PETER V. BERNS
General Counsel

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

FACSIMILE NO.
(410) 576-7036

WRITER'S DIRECT DIAL NO
(410) 576-6588

March 27, 2024

TO: The Honorable Will Smith
Chair, Judicial Proceedings Committee

FROM: Adam Spangler
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: House Bill 1041 - Criminal Law - Hate Crimes - Religion and Disability-
Support in Concept

The Office of the Attorney General supports House Bill 1041 in concept. House Bill 1041 is essentially technical in its effect. The current law already includes a prohibition on hate crimes based on "religious beliefs." House Bill 1041 also proposes to include the American with Disabilities Act (ADA) definition of "disability" in relation to the prohibition of hate crimes based on disability. Reliance on the ADA's definition of "disability" is routinely used, and the underlying prohibition already exists.

A threat against any person based on hate is a threat to all of us. The Office of the Attorney General is committed to ensuring all Marylanders live without fear of being targeted because of their race, gender, national origin, religion, or sexual orientation.

For the foregoing reasons, the Office of the Attorney General supports the spirit of House Bill 1041.

cc: The Honorable Jon Cardin
Judicial Proceedings Committee Members

ADL MD Written Testimony - HB1041 in JPR.pdf

Uploaded by: Meredith Weisel

Position: FAV



Maryland General Assembly
Senate Judicial Proceedings Committee
March 27, 2024

Testimony of Meredith R. Weisel
ADL Washington D.C. Regional Director

ADL (the Anti-Defamation League) is pleased to submit this testimony in **support of HB1041, Criminal Law – Hate Crimes – Religion and Disability**, which would add the word “religion” to the existing Maryland hate crime statute, which currently only states “religious beliefs.”

ADL (the Anti-Defamation League)

Since 1913, the mission of ADL (the Anti-Defamation League) has been to “stop the defamation of the Jewish people and to secure justice and fair treatment to all.” For decades, one of the most important ways in which ADL has fought against bigotry and antisemitism has been by investigating extremist threats across the ideological spectrum and by working with law enforcement, educators, the tech industry, and elected leaders to promote best practices to effectively address and counter these threats. Further, ADL conducts an annual *Audit of Anti-Semitic Incidents*, which is widely used by law enforcement, elected officials, and the community at-large to not only understand how to respond to antisemitic incidents, but how to create change.

Related to this work, ADL has long been recognized as a leading resource on effective responses to violent bigotry, including hate crimes. In 1981, ADL crafted the first model hate crime law in the country, and today, 46 states, as well as the District of Columbia, have hate crime laws, many of which are based on or substantially similar to our model, which was unanimously upheld by the U.S. Supreme Court. We were also privileged to lead a broad coalition of civil rights, religious, educational, professional, law enforcement, and civic organizations for more than a decade in support of the 2009 Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act (HCPA).

Behind every hate crime statistic, there is a person, a family, a community – dealing with the unimaginable. Hate crimes cause a distinct type of harm that can have a lasting, immeasurable impact. This is because hate crimes target people due to their protected, immutable characteristics – race, religion, national origin, sexual orientation, sex, gender, gender identity, disability – things about a person that are central to identity and cannot be changed.

Clarifying that someone’s “religion” and not just their “religious beliefs” is a protected class in the hate crime law is a way to solidify that targeting someone based on their religion will be held accountable under the hate crime statute.

We urge the Committee to release HB1041 with a favorable report.

HB1041 senate Disability and Religion hate crimes

Uploaded by: Sarah Miicke

Position: FAV

OFFICERS

ELIZABETH GREEN
President

ROBIN WEIMAN
1st Vice President

AMALIA HONICK

BENJAMIN ROSENBERG

RABBI STEVEN SCHWARTZ

RABBI JONATHAN SEIDEMANN

MELANIE SHAPIRO

RABBI ANDREW BUSCH
Past President

HOWARD LIBIT
Executive Director

MEMBER ORGANIZATIONS

Adat Chaim Congregation
American Jewish Committee
Americans for Peace Now
Baltimore Chapter
American Israel Public Affairs Committee
American Red Magen David for Israel
American Zionist Movement
Amit Women
Association of Reform Zionists of America
Baltimore Board of Rabbis
Baltimore Hebrew Congregation
Baltimore Jewish Green and Just Alliance
Baltimore Men's ORT
Baltimore Zionist District
Beth Am Congregation
Beth El Congregation
Beth Israel Congregation
Beth Shalom Congregation of
Howard County
Beth Tfiloh Congregation
B'nai B'rith, Chesapeake Bay Region
B'nai Israel Congregation
B'nai Jacob Shaarei Zion Congregation
Bolton Street Synagogue
Chevra Ahavas Chesed, Inc.
Chevrei Tzedek Congregation
Chizuk Amuno Congregation
Congregation Beit Tikvah
Congregation Tiferes Yisroel
Federation of Jewish Women's
Organizations of Maryland
Hadassah
Har Sinai - Oheb Shalom Congregation
J Street
Jewish Federation of Howard County
Jewish Labor Committee
Jewish War Veterans
Jewish War Veterans, Ladies Auxiliary
Jewish Women International
Jews For Judaism
Moses Montefiore Anshe Emanah
Hebrew Congregation
National Council of Jewish Women
Ner Tamid Congregation
Rabbinical Council of America
Religious Zionists of America
Shaarei Tfiloh Congregation
Shomrei Emanah Congregation
Suburban Orthodox Congregation
Temple Beth Shalom
Temple Isaiah
Zionist Organization of America
Baltimore District

WRITTEN TESTIMONY

House Bill 1041 Criminal Law - Hate Crimes - Religion and Disability

Judicial Proceedings Committee

March 27, 2024

SUPPORT

Background: House Bill 1041 (HB1041) expands Maryland's Hate Crimes Statute by: 1) defining disability and 2) adding religion as a motivation for a hate crime.

Written Comments: The Baltimore Jewish Council and Maryland's Jewish community are concerned about the recent rise in hate/bias incidents in Maryland and the damaging effect that is having on our communities. These incidents are impacting not just Jewish communities, but those of many of our other faith partners. According to the 2022 State of Maryland Hate/Bias Report authored by the Maryland State Police, Maryland experienced 311 reports, an increase from 2021, further anti-religious incidents in Maryland increased by over 84%, the vast majority of which were targeted at the Jewish community. This report does not factor in the extreme increase of almost 400% nationwide of antisemitic incidents since the Hamas terrorist attacks on October 7th.

While Maryland's hate crimes statute identifies religious beliefs as a motive for hate crimes, it does not include the term most often used in other states, religion. Someone could be a target of hate crime not because of their religious beliefs, but because of their religion, (or the religion the perpetrator thinks the victim is). For instance, you could be a Catholic atheist or someone with Jewish ancestry but not practicing the religious beliefs of Judaism. Another common hate crime is against the Sikh community who are often targeted because people believe they are Muslim due to their turbans. It is time Maryland joined the vast majority of states and include religion as a motive for hate crimes.

With this in mind, the Baltimore Jewish Council urges a favorable report of HB1041.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish com

2024 HB1041 Testimony Against 2024-03-27.pdf

Uploaded by: Alan Lang

Position: UNF

Honorable Senators

I oppose HB1041.

One would think that everyone should be against hate crimes.

I am against this bill because it creates a separate category for crimes just for a few protected classes and, more importantly it assumes hate as a motivation.

For example, as a Christian if I should damage a Christian church, I would just be charged for the vandalism. I doubt anyone would wonder if I was motivated by hate, and even if I were, it would probably not be considered a hate crime.

However, if I should damage a Synagogue or a Mosque, there would be the inference that I did the vandalism because of hate, and I would face additional charges.

I realize that this bill is just a relatively minor modification to existing law, and my points should have been made when the original hate crime bill was presented, but because I am against the law establishing hate crimes, I am against expanding it.

There are sufficient laws to handle murder, assault, vandalism, etc. without creating additional crimes just for select subgroups of the population.

Please vote against HB1041.

Alan Lang, District 31
242 Armstrong Lane
Pasadena, MD 21122
410.336.9745
Alanlang1@verizon.net